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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION

10 Edward Foster,

NO. C 03-02644 JW

11 Plaintiff,

**ORDER TO SHOW CAUSE RE:  
SETTLEMENT**

12 v.

13 Metropolitan Life Insurance Company,

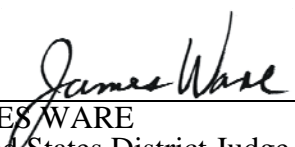
14 Defendant.  
\_\_\_\_\_ /

15 On February 21, 2008, Judge Lloyd informed the Court that the above-entitled matter has  
16 reached a settlement. In light of the settlement, the Court vacates all trial and pretrial dates. On or  
17 before **March 10, 2008**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil  
18 Procedure 41(a).

19 If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8,  
20 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **March 17, 2008 at**  
21 **9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ.  
22 P. 41(b). On or before **March 10, 2008**, the parties shall file a joint statement in response to the  
23 Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for  
24 finalizing the settlement and how much additional time is requested to finalize and file the dismissal.  
25 If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically  
26 vacated.  
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Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: February 27, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

Ellen B. Kamon ekamon@sortlaw.com  
Richard Augustus Swenson [rsloofwcd@aol.com](mailto:rsloofwcd@aol.com)  
William C. Dresser loofwcd@aol.com

**Dated: February 27, 2008**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**

**Elizabeth Garcia**  
**Courtroom Deputy**